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May 31, 2002

The Honorable Richard A. Meserve
Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chairman:

I am writing to request information regarding a news report that indicated that National Guard troops in Pennsylvania are guarding nuclear reactors with unloaded weapons.

According to a story that appeared today in the Associated Press, Pennsylvania House Minority Whip Mike Veon commented in today's York Daily Record that National Guard troops carry ammunition on their belts, but that their weapons are unloaded. It is unclear what security value this adds to the plants, since a terrorist attack would likely happen quickly and with no advance warning that would enable these troops to load their weapons. This places the National Guard troops, the nuclear reactors and consequently the surrounding communities at risk.

In light of the numerous reports of Al Qaeda's desires to attack U.S. nuclear facilities, I ask for your prompt response to the following questions:

- 1) Is it true that weapons carried by National Guard troops stationed at Pennsylvania's nuclear reactors are unloaded?
- 2) Please list each State that currently uses National Guard or State troops to guard nuclear reactors. For each State, please indicate whether the troops are carrying loaded or unloaded weapons.
- 3) Do you believe that any guard forces assigned to secure nuclear reactors should be carrying loaded, modern weaponry in order to maximize their chances of thwarting a terrorist attack? Why or why not?
- 4) Do you believe that in cases where troops are guarding nuclear reactors with unloaded weapons, that their presence gives the surrounding communities a false sense of security? Why or why not?

Thank you very much for your consideration of this important matter. I ask that you provide your response no later than Friday June 7, 2002. If you have any questions or concerns, please have your staff contact Dr. Michal Freedhoff of my staff at 202-225-2836.

Sincerely,


Edward J. Markey